

DEC 07 2006

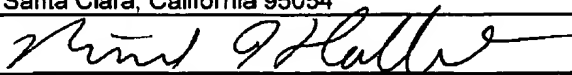
Modified PTO/SB/21 (09-04)

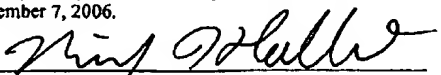
OMB 0851-0031

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Complete If Known | |
| | | Application Number | 09/458,123 |
| | | Filing Date | December 8, 1999 |
| | | First Named Inventor | Blaine R. Spady |
| | | Examiner Name: | Gordon Stock |
| | | Group Art Unit | 2877 |
| Total Number Of Pages In This Submission | 8 | Attorney Docket No.: | NAN035 US |

| ENCLOSURES (check all that apply) | | |
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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached (PTO-2038) | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment / Reply (7 pages) | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declarations | <input type="checkbox"/> Power of Attorney, Revocation of Previous Powers; And Statement Under 37 CFR 3.73(b) | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
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| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
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| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

| SIGNATURE OF APPLICANT, ATTORNEY OR AGENT | |
|---|---|
| Firm or Individual Name | Michael J. Halbert (Reg. No. 40,633) Silicon Valley Patent Group LLP 2350 Mission College Boulevard, Suite 360 Santa Clara, California 95054 |
| Signature |  |
| Date | December 7, 2006 |

| CERTIFICATE OF FACSIMILE TRANSMISSION | |
|--|-------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number 571-273-8300 on December 7, 2006. | |
|  | 12-7-06 |
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Blaine R. Spady; John D. Heaton; Robert Buchanan; Richard A. Yarussi
Assignee: Nanometrics Incorporated
Title: Metrology/Inspection Positioning System
Serial No.: 09/458,123 Filing Date: December 8, 1999
Examiner: Gordon Stock Group Art Unit: 2877
Docket No.: NAN035 US Confirmation No.: 8470

Santa Clara, California
December 7, 2006

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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RESPONSE TO OFFICE ACTION

Dear Sir:

This Response to Office Action is responsive to the September 8, 2006, Office Action, which has a statutorily shortened period for response that ends December 8, 2006. Please enter the following amendments before taking action on the merits of the above-referenced application.

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